

**SENATE JOURNAL
63RD LEGISLATURE
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 25, 2013

Senate Chambers
State Capitol

Senate convened at 1:02 p.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senator Caferro, excused. Quorum present.

BILLS AND JOURNALS (Buttrey, Chair):

3/25/2013

Correctly printed: **SJR 21, SR 25, SR 42, HB 24, HB 38, HB 68, HB 146, HB 162, HB 195, HB 203, HB 210, HB 314, HB 352, HB 362, HB 385, HB 459.**

Correctly engrossed: **HB 106, HB 184, HB 250, HB 323, HB 485, HB 513, HB 562, HJR 9.**

Correctly enrolled: **SB 116, SB 137, SB 139, SB 172, SB 176, SB 230, SB 270, SB 293, SB 312, SB 314, SB 319, SB 327, SB 332, SR 14, SR 20, SR 26, SR 28.**

Examined by the sponsor and found to be correct: **SB 24, SB 67, SB 76, SB 103, SB 105, SB 181, SB 189, SR 14, SR 20, SR 26, SR 28.**

Transmitted to the House: **HB 7, HB 8, HB 37, HB 187, HB 277, HB 304, HB 335, HB 510.**

Signed by the Secretary of the Senate at 7:45 a.m., March 23, 2013: **SB 24, SB 67, SB 76, SB 103, SB 105, SB 181, SB 189.**

Signed by the Speaker at 8:15 a.m., March 25, 2013: **SB 33, SB 57, SB 63, SB 70, SB 99, SB 132, SB 267, SB 326.**

Delivered to the Governor at 1:50 p.m., March 25, 2013: **SB 33, SB 57, SB 63, SB 70, SB 99, SB 132, SB 267, SB 326.**

Senator Caferro present at this time.

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Sonju, Chair):

3/21/2013

SR 17, introduced resolution, be amended as follows:

1. Title, page 1, line 8.

Strike: "THE APPOINTMENTS"

Insert: "AN APPOINTMENT"

2. Page 1, line 12.

Strike: "appointments"

Insert: "appointment"

3. Page 1, line 13.

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Strike: "have"

Insert: "has"

4. Page 1, line 14.

Strike: "members"

Insert: "a member"

5. Page 1, lines 15 through 16.

Strike: lines 15 and 16

6. Page 1, line 21.

Strike: "appointments"

Insert: "appointment"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Peterson, Chair):

3/22/2013

SR 29, preliminary report, be adopted. Report adopted.

SR 32, preliminary report, be adopted. Report adopted.

FINANCE AND CLAIMS (Ripley, Chair):

3/25/2013

HB 170, be concurred in. Report adopted.

HB 256, be concurred in. Report adopted.

JUDICIARY (Murphy, Chair):

3/25/2013

SR 5, be adopted. Report adopted.

SR 6, be adopted. Report adopted.

SR 7, preliminary report, be adopted. Report adopted.

SR 27, be adopted. Report adopted.

NATURAL RESOURCES (Vincent, Chair):

3/22/2013

HB 106, be amended as follows:

1. Title, page 1, line 5 through line 6.

Strike: the second "REVISING" on line 5 through "PROVISIONS;" on line 6

2. Title, page 1, line 8.

Strike: "3-7-311,"

Strike: "85-2-114, 85-2-122,"

3. Page 1, line 14 through line 23.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 4, line 30 through page 7, line 17.

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Strike: section 3 and section 4 in their entirety
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 388, be concurred in. Report adopted.
HB 451, be concurred in. Report adopted.
HB 513, be amended as follows:

1. Title, page 1, line 5.

Following: "REVIEW"

Insert: "UNDER CERTAIN CIRCUMSTANCES"

2. Page 2, line 5.

Following: "2"

Insert: ", when existing roads through existing rights-of-way are used"

And, as amended, be concurred in. Report adopted.

HJR 9, be amended as follows:

1. Title, page 1, line 5.

Following: "THE"

Insert: "RESPONSIBLE"

2. Page 1, line 17.

Following: "WHEREAS,"

Insert: "responsible"

3. Page 1, line 25.

Following: "expanded"

Insert: ", responsible"

4. Page 2, line 3.

Following: "and"

Insert: "responsible"

And, as amended, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Priest, Chair):
HB 84, be concurred in. Report adopted.

3/22/2013

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MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

3/23/2013

HB 489, introduced by Hunter

MOTIONS

Senator Wittich moved consideration of agenda items one through four and item six (**HB 402, HB 455, HB 462, HB 508, HB 189**) be placed at the bottom of the second reading board. Without objection, so ordered.

Senator Wittich moved that **SB 170** be taken from Taxation and brought before the Committee of the Whole tomorrow March 26, the sixty-fifth legislative day. Motion **failed** as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Fielder, Jackson, Lewis, Moore, Olson, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 23

Nays: Augare, Barrett Dick, Blewett, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Jackson moved to reconsider third-reading action on **HJR 3**. Mr. President explained that the effect of the motion would be to place **HJR 3** on third reading on the following legislative day. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, D. Brown, T. Brown, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 27

Nays: Augare, Barrett Dick, Blewett, Brenden, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 23

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Moore rose on a point of parliamentary procedure and informed the members that during consideration of bills on second reading, a chairman of the day who wishes to speak on a bill must step down and remain out of the chair until the bill has been voted on.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 403, introduced by Hamlett, referred to Natural Resources.

SB 404, introduced by Thomas, referred to Taxation.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 23, introduced by Tutvedt, referred to Taxation.

The following House bills were introduced, read first time, and referred to committees:

HB 2, introduced by Ankney (by request of the Office of Budget and Program Planning), referred to Finance and Claims.

HB 489, introduced by Hunter, referred to Public Health, Welfare and Safety.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Sales in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 374 - Senator Wittich moved **HB 374** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jones, Lewis, Moore, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 29

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Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Murphy, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 280 - Senator Thomas moved **SB 280** do pass.

SB 280 - Senator Jergeson moved **SB 280**, second reading copy, be amended as follows:

1. Page 1, line 6 through line 10.

Strike: "ALLOWING" on page 1, line 6 through "REVENUE;" on line 10

2. Title, page 1, line 12.

Strike: "15-15-102,"

3. Page 1, line 18.

Strike: "Within 30 days after a final decision of the department"

Insert: "For appeals"

4. Page 1, line 20.

Strike: "the assessed value"

Insert: "all issues raised in the complaint"

5. Page 1, line 23.

Following: line 22

Insert: "(2) If the taxpayer requests mediation, which must be granted, the request is to be included in the complaint filed with the state tax appeal board pursuant to 15-2-302 or, if subsequent to the appeal, upon separate motion to the state tax appeal board. If mediation is requested by the taxpayer, the mediation must be conducted no less than 60 days prior to the contested case hearing on all issues raised in the complaint, to be scheduled by the state tax appeal board."

Renumber: subsequent subsections

6. Page 2, line 7 through line 11.

Following: "unsuccessful," on line 7

Strike: "the objector" on line 7 through "district" on line 11

Insert: "the parties shall proceed to a contested case hearing as scheduled by the state tax appeal board"

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7. Page 2, line 13 through line 14.

Strike: "Within" on line 13 through "after" on line 14

Insert: "After"

8. Page 2, line 19.

Following: line 18

Insert: "(2) If the taxpayer requests mediation, which must be granted, the request is to be included in the complaint filed with the state tax appeal board pursuant to 15-2-302 or, if subsequent to the appeal, upon separate motion to the state tax appeal board. If mediation is requested by the taxpayer, the mediation must be conducted no less than 60 days prior to the contested case hearing on all issues raised in the complaint, to be scheduled by the state tax appeal board."

Renumber: subsequent subsections

9. Page 2, line 19.

Strike: "(5)"

Insert: "(6)"

10. Page 2, line 20.

Strike: subsection (3) in its entirety

11. Page 2, line 30.

Following: "~~chapter 23.~~"

Insert: "The procedure applies to assessments of centrally assessed property taxed pursuant to chapter 23."

12. Page 8, line 21 through line 22.

Strike: "or an unsuccessful" on line 21 through "[section 1]" on line 22

13. Page 9, line 11 through line 12.

Strike: "or an unsuccessful" on line 11 through "[section 1 or 2]" on line 12

14. Page 11, line 2 through line 20.

Strike: section 8 in its entirety

Renumber: subsequent sections

15. Page 11, line 30.

Strike: "or district court"

16. Page 13, line 9.

Strike: "or"

Insert: "and"

Amendment adopted as follows:

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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 280 - Senator Thomas moved **SB 280**, as amended, do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 217 - Senator Moore moved consideration of **HB 217** be passed for the day. Without objection, so ordered.

HB 23 - Senator Webb moved **HB 23** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt,

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Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: Arthun.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 1 - Senator D. Brown moved **HJR 1** be concurred in.

HJR 1 - Senator Webb moved **HJR 1**, second reading copy, be amended as follows:

1. Page 1, following line 28.

Insert: "BE IT FURTHER RESOLVED, that the examination of the process to select the Commissioner and of the structure, composition, and duties of the office include the options of having the Montana Attorney General appoint the Commissioner as a personal staff position and creating a panel of three District Court Judges to review any issues that cannot be resolved at the administrative level."

Amendment **not** adopted as follows:

Yeas: Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Priest, Ripley, Rosendale, Sales, Taylor, Thomas, Walker, Webb, Wittich, Mr. President.
Total 22

Nays: Arntzen, Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy.
Total 28

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 1 - Thereupon, the Senate reverted to the original motion of Senator D. Brown which passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D.

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Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 47

Nays: Kaufmann, Ripley, Wanzenried.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 375 - Senator Peterson moved **SB 375** do pass.

SB 375 - Senator Peterson moved **SB 375**, second reading copy, be amended as follows:

1. Title, page 1, line 21.

Strike: the first "CERTAIN"

Insert: "INCIDENTAL"

Strike: "THE SOURCE OF CERTAIN REVENUE"

Insert: "CERTAIN INFORMATION"

2. Title, page 1, line 25.

Following: "INCOME;"

Insert: "REVISING AND"

Following: "AUTHORITY;"

Insert: "CREATING A SPECIAL REVENUE ACCOUNT FOR CERTAIN FEES RECEIVED BY
THE COMMISSIONER OF POLITICAL PRACTICES;"

3. Title, page 1, line 26.

Following: "13-35-227,"

Insert: "13-35-402,"

4. Page 6, line 5.

Strike: the second "or"

5. Page 6, line 6.

Strike: "."

Insert: "; or"

6. Page 6, following line 6.

Insert: "(v) funds received in the normal course of business."

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7. Page 7, line 30.

Strike: "an independent"

Insert: "a political"

8. Page 8, line 6.

Following: "political committee"

Insert: "organized for a primary purpose of making contributions and expenditures but"

9. Page 12, following line 22.

Insert: "**Section 5.** Section 13-35-402, MCA, is amended to read:

"13-35-402. Fair notice period before election -- definition. (1) A candidate, a political committee that has filed a certification under 13-37-201, and an independent political committee shall at the time specified in subsection (3) of this section provide to candidates listed in subsection (2) of this section any final copy of campaign advertising in print media, in printed material, or by broadcast media that is intended for public distribution in the 10 days prior to an election unless:

(a) identical material was already published or broadcast; or

(b) the material does not identify or mention the opposing candidate.

(2) The material must be provided to all other candidates who have filed for the same office and who are individually identified or mentioned in the advertising, except candidates mentioned in the context of endorsements.

(3) Final copies of material described in subsection (1) must be provided to the candidates listed in subsection (2) at the following times:

(a) at the time the material is published or broadcast or disseminated to the public;

(b) if the material is disseminated by direct mail, on the date of the postmark; or

(c) if the material is prepared and disseminated by hand, on the day the material is first being made available to the general public.

(4) The copy of the material that must be provided to the candidates listed in subsection (2) must be provided by electronic mail, facsimile transmission, or hand delivery, with a copy provided by direct mail if the recipient does not have available either electronic mail or facsimile transmission. If the material is for broadcast media, the copy provided must be a written transcript of the broadcast.

~~(5) For the purposes of this section, an "independent political committee" is a committee that is not specifically organized on behalf of a particular candidate or that is not controlled either directly or indirectly by a candidate or a candidate's committee in conjunction with the making of expenditures or accepting contributions."~~

Renumber: subsequent sections

10. Page 13, line 10 through line 11.

Strike: "general fund" on line 10 through "state" on line 11

Insert: "state special revenue account established in [section 16]"

11. Page 18, line 10 through line 11.

Strike: "The commissioner" on line 10 through "this chapter." on line 11

Insert: "An incidental committee shall file a report:

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(a) on the 40th and 20th days preceding the date of an election in which it participates by making an expenditure;

(b) within 2 business days of receiving a contribution of \$1,000 or more if made between the 20th day before an election and the day of the election;

(c) within 2 business days of making an expenditure or incurring a debt or obligation of \$750 or more for an electioneering communication if the expenditure is made or the debt or obligation is incurred between the 19th day before the election and the day of the election;

(d) not more than 20 days after the date of the election in which it participated; and

(e) on a date to be prescribed by the commissioner for a closing report at the close of each calendar year."

12. Page 18, line 13.

Strike: "2"

Insert: "7"

13. Page 18, line 14.

Strike: "and"

Following: "(4)(b),"

Insert: "(4)(c), (5)(b), and (5)(c),"

14. Page 18, line 25.

Strike: "(4)"

Insert: "(5)"

15. Page 18, line 30.

Strike: "(4)"

Insert: "(5)"

16. Page 19, line 1.

Following: "~~(3)(b)~~,"

Strike: "and"

Following: "(4)(b)"

Insert: ", (4)(c), (5)(b), and (5)(c)"

17. Page 19, line 2.

Following: "~~(3)(b)~~,"

Strike: "or"

Following: "(4)(b),"

Insert: "(4)(c), (5)(b), or (5)(c)"

18. Page 19, line 11.

Strike: "Each"

Insert: "Except as provided in [section 14], each"

19. Page 20, line 13 through line 23.

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Strike: section 13 in its entirety

Insert: "NEW SECTION. Section 14. Disclosure requirements for incidental committees. (1) An incidental political committee shall file a statement of organization as required by 13-37-201 and reports as provided in 13-37-226(5).

(2) For incidental committees that are not corporations with shareholders, the regularly scheduled reports must disclose all expenditures made prior to the reporting date and must disclose:

(a) if an incidental committee maintains a separate, segregated fund for the purpose of making expenditures or contributions in Montana, all contributions, donations, or funds received from a person prior to the reporting date and that are maintained in the separate, segregated fund; or

(b) if an incidental committee does not maintain a separate, segregated fund, the top ten persons making the largest aggregate contributions to the committee prior to the reporting date.

(3) For incidental committees that are corporations with shareholders, the regularly scheduled report must disclose all expenditures made prior to the reporting date and all shareholders possessing 10% or more of the corporation's stock according to the most recent available data prior to the reporting date."

Renumber: subsequent sections

20. Page 20, following line 28.

Insert: "NEW SECTION. Section 16. Transparency, reporting, and accountability in campaigns and elections (TRACE) account. (1) There is a transparency, reporting, and accountability in campaigns and elections account in the state special revenue fund. The amounts recovered and allocated to the commissioner's office pursuant to 13-37-129(1) must be deposited in the account.

(2) Money allocated to the special revenue fund must be used as specified in 13-37-129(2)."

Renumber: subsequent sections

21. Page 26, line 14.

Strike: "13 and"

Following: "14"

Strike: "through 16"

22. Page 26, line 16.

Strike: "13 and"

Following: "14"

Insert: "through 16"

23. Page 26, following line 16.

Insert: "NEW SECTION. Section 21. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Insert: "NEW SECTION. Section 22. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid

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in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

24. Page 26, line 19.

Strike: "[sections 15 and 16]"

Insert: "[sections 17 and 18]"

Senate recessed at 2:20 p.m. to determine if the correct amendment was under consideration. Senate reconvened at 2:30 p.m.

SB 375 - Senator Essmann made a **substitute motion** that the severability clause (Part 23 of the amendment, new section 22, severability) be segregated for the purposes of voting on the amendment. The substitute motion **failed** as follows:

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 22

Nays: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 28

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 375 - Thereupon, the Senate reverted to the original amendment motion of Senator Peterson which passed as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 31

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Moore, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 19

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 375 - Senator Peterson moved **SB 375**, as amended, do pass. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Windy Boy.
Total 29

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Moore, Murphy, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Wanzenried, Webb, Wittich, Mr. President.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Wittich moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair Sales moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Windy Boy, Wittich.
Total 37

Nays: Arntzen, Boulanger, Brenden, D. Brown, Fielder, Moore, Rosendale, Sales, Sonju, Vincent, Wanzenried, Webb, Mr. President.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 146 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: Larsen.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 162 concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Jackson, Jones, Keane, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 37

Nays: Augare, Blewett, Facey, Hamlett, Jent, Jergeson, Kaufmann, Larsen, Malek, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried.
Total 13

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 249, as amended by the House, passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson,

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Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 323 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 362 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, T. Brown, Buttrey, Driscoll, Facey, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.

Total 41

Nays: Blewett, D. Brown, Caferro, Fielder, Hamlett, Rosendale, Sales, Van Dyk, Wittich.

Total 9

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 210 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy.

Total 42

Nays: Boulanger, Priest, Sales, Sonju, Vincent, Walker, Wittich, Mr. President.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 203 concurred in as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 37

Nays: Arntzen, Boulanger, Jackson, Moore, Priest, Sales, Sonju, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 68 concurred in as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, D. Brown, T. Brown, Buttrey, Caferro, Driscoll,

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Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy.
Total 39

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, Priest, Ripley, Sales, Sonju, Walker, Wittich, Mr. President.
Total 11

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 385 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 47

Nays: Caferro, Kaufmann, Wanzenried.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 352 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 46

Nays: Priest, Sales, Sonju, Vincent.
Total 4

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 459 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.

Total 42

Nays: Barrett Dick, Caferro, Facey, Kaufmann, Malek, Phillips, Wanzenried, Windy Boy.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 314 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 562 concurred in as follows:

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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 24 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy.

Total 43

Nays: Boulanger, Priest, Sales, Sonju, Walker, Wittich, Mr. President.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 38 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich.

Total 49

Nays: Mr. President.

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Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJR 21 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 195 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich.

Total 49

Nays: Mr. President.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SPECIAL ORDERS OF THE DAY

SR 25 - Senator Arthun moved consideration of **SR 25** be passed for the day. Without objection, so ordered.

On Sunday, March 25, 2013, the Montana Legislature met to recognize and record the passing of former members of the Senate and House of Representatives . Memorials of those members are included in this journal beginning on the following page.

MOTIONS

Senator Ripley moved **SB 280** be re-referred to the Finance and Claims committee. Without objection, so ordered.

Senator Ripley moved **SB 375** be re-referred to the Finance and Claims committee. Following objection from the floor, the motion **failed** as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Jones, Moore, Murphy, Olson, Priest, Rosendale, Sales, Sonju, Taylor, Vincent, Walker, Webb, Wittich, Mr. President.

Total 22

Nays: Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Lewis, Malek, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 28

Absent or not voting: None.

Total 0

Excused: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 1:00 p.m., Tuesday, March 26, 2013, the sixty-fifth legislative day. Motion carried.

Senate adjourned at 5:18 p.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate

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BISHOP, ALFRED LEWIS

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECORD THE PASSING OF ALFRED LEWIS BISHOP ON JULY 20, 2012.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF EACH FORMER COLLEAGUE BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO THEIR CAREERS ARE HEREBY NOTED:

Alfred Lewis Bishop was born in Laurel, Montana on February 19, 1925 to Rush Floyd and Laura Mae Bishop. He graduated from Laurel High School in 1943, having excelled in football and pheasant hunting. During his senior year at Laurel High, Al enlisted in the Army Air Force as an Aviation Cadet. While in the service, he spent 22 months in Africa, Italy, France and Germany with the 12th Air Force.

In August 1947, Al married Caroline Frankfurth in Great Falls. They had two children, John and Deborah. He received his law degree at the University of Montana Law School and practiced law at the firm of Cline and Hendrickson, which later became Hendrickson and Bishop. He practiced law with his daughter Deborah at Bishop and Bishop until his retirement in 1986. After 43 years of marriage, Al's wife Caroline passed away in 1991. In November 1992, Al married Elayne Cannon of Billings.

In 1977, Al was appointed as a Fish and Game Commissioner, and in 1980 he ran unsuccessfully in the Republican primary for governor of Montana. Six years later, he was elected to the State Senate, a seat he lost after four years but regained four years later.

Al was a hunter, fisherman, photographer, licensed elk guide, backpacker, mountain biker, and rifle and pistol NRA competitor. At age 62 he climbed Granite Peak, the highest mountain in Montana, by himself. He also authored a published novel entitled "Show No Mercy."

Al valued community involvement, was a member of St. Pius Catholic Church, Eagles, American Legion, and several labor unions. He belonged to the Phi Delta Phi legal fraternity, Billings Rod & Gun Club, Montana Wildlife Federation, Yellowstone Rifle Club, Audubon Society, and National Rifle Association. He was a director and vice-president of the Billings YMCA, past president of a Toastmasters, Past Master of Billings Lodge No. 113, A.F. & A.M. of Montana, a member of the Scottish Rite of Freemasonry, and the Al Bedoo Shrine Temple.

Al is survived by his wife, Elayne; his son, John and his wife Sally; his daughter, Deborah; his grandson, Travis and his wife Becky; his great-grandchildren Emilee and Brodie; his sister, Annie Schlesinger; his brother, Pat and wife Lois Bishop; and stepsons Tim and Shawn Cannon and their families.

Regretfully, Al did not receive one of his longtime wishes: to be buried in Butte so he could remain active in politics.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

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THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

BOHARSKI, BILL

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SENATE AND THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF BILL BOHARSKI ON OCTOBER 11, 2012 IN KALISPELL, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF BILL BOHARSKI BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Bill Boharski was the sixth of seven children born to George and Margaret Boharski on September 8, 1961 in Chicago. Five years later the family moved to Kalispell, where Bill graduated from Flathead High School in 1979. His life changed forever during his senior year at Montana State University, when a car accident rendered him quadriplegic. After surgery and rehabilitation, Bill graduated from MSU in 1985.

Bill returned to Kalispell in 1986 after a year in California as a mechanical engineer. He co-owned and operated a small business in downtown Kalispell and worked as an engineer at Semitool. In 1988 at the age of 27, William was elected to the Montana House of Representatives. During his years in the Legislature, his mother Margaret worked alongside him as a legislative aide. As a legislator, Rep. Boharski was an early advocate for extending protections to the North Fork of the Flathead River.

After serving five terms in the Montana House of Representatives, Bill shifted his political attention to his hometown of Kalispell. With the desire to make a more direct impact on the community, he was elected mayor of Kalispell, serving from 1998 to 2001. As a member of his community, Bill sang with the Flathead Valleyaires chorus and was an active member of St. Matthew's Parish, serving on the parish council. He also taught at Flathead Valley Community College. Bill said in an interview, "My life is set. I'm in a wheelchair until I die, and I'm generally a pretty happy person about that. I enjoy working on problems, whether it's designing something for Semitool or whether it's finding a better way for the city of Kalispell to work...whichever it might be, that's fun to me."

Bill is survived by his father, George, siblings Eileen, Michael, Jennifer, Lorrie, Steve and his wife April, and David; and by his girlfriend Lone Alcantar. His many nieces and nephews have fond memories of childhood rides on the back of Uncle Bill's wheelchair.

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NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

BUSH, WILLIAM H.

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF WILLIAM H. BUSH ON MARCH 28, 2011 IN POLSON, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE WILLIAM H. BUSH BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

William H. Bush was born in Glendive, Montana on June 27, 1924, to Frank and Ruth Bush. Three years later, the family moved to Milltown.

As a very young man, Bill enlisted in the Marines at the start of World War II. He served in the South Pacific war zone until the end of the war, after which he was honorably and medically discharged.

Bill served as a state legislator during Governor Nutter's term in 1961-1962. In Missoula he worked in the furniture business and real estate. Bill was an enthusiastic hunter and fisherman and remained active in sportsmen's organizations. He was also a lifetime member of the Missoula Elks.

Bill is survived by his daughter, Debbie Anderson; brothers Richard and Gerald; and sisters Mary Beth Hatch and Peggy Timmer.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO

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THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

COMBS, PETER T.

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF PETER T. COMBS ON DECEMBER 1, 2012 IN ENNIS, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE PETER COMBS BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Peter was born in 1928 in Santa Ana, California to Walter and Dorothy Combs, as the youngest of three sons. At age 17, Peter joined the Navy. During World War Two and later in the Korean War he served as an engineer on a destroyer in the Pacific. Between wars he earned a degree in civil engineering at the California Maritime Academy. After the Korean War, Peter worked as a civil engineer for Orange County.

In 1950, Peter married Virginia Beardsley and together they had five children. In 1960, Peter and Jinny struck out in grand entrepreneurial fashion to Ennis, Montana, and moved their family to the Diamond J Ranch. Guest ranching was the first, but not the last entrepreneurial endeavor for the Combs family. Peter's impressive resume went on to include cattle ranching, banking, and town grocer.

Peter also dedicated his life to civic pursuits. He was a Shriner, Lion, Mason, and served on numerous community boards in addition to his time in the Montana Legislature. He was particularly dedicated to preserving the beauty and heritage of the downtown of his beloved Ennis. A beautiful park on Main Street bears his name.

Peter's many hobbies included sailing, golf, riding and driving horses, traveling, and photography.

Those that knew Peter will remember him as a man of passion, energy and creativity, with a great sense of style and fondness for bolo ties. He was a wonderful entertainer and story teller.

Peter is survived by his children, Peter Jr., Virginia, Tim and Bruce, 10 grandchildren, and four great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

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THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

DZIVI, DICK

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECORD THE PASSING OF DICK DZIVI ON OCTOBER 19, 2012.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF DICK DZIVI BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

On October 19, 2012, Dick Dzivi died from complications of Lewy Body Dementia and other illnesses he had suffered from for a long time. Dick was the much beloved husband of Anita Marie Dzivi.

Dick was born on February 19, 1936, in Kalispell, Montana to Joseph Dzivi and Margaret Lawless Dzivi. He graduated from Flathead High School where he excelled in academics and on the Flathead Braves football team as the middle linebacker. Following graduation from high school, Dick was actively recruited by both Montana State University and the University of Montana. Ultimately, he attended the University of Montana at Missoula where he became their star middle linebacker and was frequently described as a "pillar of strength." Dick earned a bachelor's degree in business with a minor in history. He then enrolled in the law school and graduated second in his law school class just behind his best friend and law partner, William Conklin.

Dick had a colorful career in Montana politics and among his accomplishments he was most proud of serving the State of Montana as the Senate majority leader in 1971. He was well respected by both Democrats and Republicans in the Senate because he was fair and a man of his word. Dick ran unsuccessfully for governor in 1972, but the experience was nonetheless a very good one for him.

Dick had a long career as an attorney practicing all over the state but particularly in Great Falls. Dick enjoyed helping his clients but he hated to charge them anything for his services. He represented many,

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many people pro bono because, having grown up poor, he understood the hardships that so many people go through in life. Dick retired from the practice of law in 1999 due to ill health.

In 1991, he married the love of his life, Anita Marie Dzivi. Together they raised Anita's four children. Later, ten grandchildren entered their lives and these grandchildren were the lights of Dick's later years. Dick is survived by his wife, Anita, three children from a previous marriage, namely, Pamela Nelson of Ephrata, Washington, Kathy Thompson of Missoula, Montana, and Bart Dzivi of Sausalito, California; his beloved sisters Delores (Dick) Ellifritz of Oceanside, Washington, Margaret Cramm of Missoula, and a half brother Barney Davidson of Reno, Nevada; his four stepchildren, Eric (Jessica) Wilsey of Great Falls, Brenda (Jason) Nickisch of Great Falls, Diana Wilsey of Missoula, and William Frey of Great Falls; his ten grandchildren with Anita: Jackson, Alyson, Thaeoden, Isaiah, Olivia, Naomi, Hannah, Isaac, Solomon, and Serai; his three grandchildren from a prior marriage: Adam, Rebecca, and Judd; his best friend and law partner, William Conklin of Seattle, Washington; many nieces and nephews and friends whom he loved dearly.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

EMERSON, CASEY

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECORD THE PASSING OF CASEY EMERSON ON OCTOBER 30, 2012 IN BOZEMAN, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF EACH FORMER COLLEAGUE BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO THEIR CAREERS ARE HEREBY NOTED:

Casey Emerson was born October 25, 1925 in Devils Lake, North Dakota to Clarence and Anna Emerson. After spending his childhood on a farm in Devils Lake, he went off to Grand Forks to the University of North

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Dakota, where he earned a teaching degree. While there, he met and fell in love with Bernice Jorde, with whom he eloped to Minnesota in 1948 after two years of courtship.

Casey began his teaching career in Oregon, where he taught for one year. He and Bernice then moved to Hardin, Montana, where Casey was able to teach and coach. In what would be the first of many entrepreneurial enterprises, they opened a Dairy Queen franchise in Hardin, while adding three children to their family.

In 1960, Casey packed up the family and moved to Bozeman, where he launched a 29-year career teaching math and P.E. in the Bozeman school system, where he later retired. The Emersons added two daughters to the family, and in 1969 Casey earned his Master of Education from Montana State University.

True to his entrepreneurial spirit, Casey created a fundraising business called School Mascots, and in 1978, Casey and Bernice started King Tool, a still thriving hand tool manufacturing company. His creative juices still flowing, he added the Montana Inventors Association to his growing list of startups. In his later years Casey won a seat in the State Senate. Service to others was of utmost importance to Casey.

In addition to coaching, Casey played golf and badminton. He founded the Montana Badminton Association and in later years competed on the national level in badminton, performing at the top of his age bracket in senior events.

In 2005, after 56 years of marriage, Casey suffered an enormous loss when his beloved Bernice passed away. Casey is survived by his sister, Ilene Wilderspin of Michigan; his brother and sister-in-law, Derby and Shirley Emerson of North Dakota; and sister, Maxine of Wyoming; as well as his children: Gary and Cathy Emerson, Steven Emerson, Susan and Terry Melson, and Jeni and Aaron Millikin; seven grandchildren; and seven great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

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FJARE, ORVIN BENOINE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF ORVIN BENOINE FJARE ON JUNE, 27, 2011 BIG TIMBER, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE ORVIN FJARE BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Orvin Benonie Fjare was born on April 16, 1918, in Big Timber to Oluf B. Fjare and Abigael Hetland Fjare. He weighed 12 pounds, according to a set of fish scales. On June 27, 2011, at 93 years old, he passed away peacefully at home in the arms of his oldest daughter, Gail, with Kitty curled in the crook of his neck.

Orvin grew up on a sheep ranch outside of Melville. He attended Hedley School which was set in their pasture. During recess he herded the sheep back the other direction. He graduated from Sweet Grass County High School in 1937. In 1940, he volunteered in the U.S. Army. He graduated from Officer Candidate School as a Second Lieutenant. During this time, he asked his high school sweetheart, Sigrid Solberg, to marry him and she sent back a telegram that read "Yes!" They were married on Sept. 9, 1942 — a marriage that lasted over 66 years until Sigrid died in March 2009. He piloted B-24 bombers on missions in New Guinea, the Philippines and Okinawa, returning to Big Timber in 1945 as a captain. Orvin became active in many groups: Rod and Gun Club, Lions Club, American Legion, Masonic Lodge, Big Timber School Board, and he was selected as a Jaycees 10 Outstanding Young Men of America. He was persuaded to run for Congress and was elected as a Republican to the 84th Congress (1955-56) from the eastern district of Montana. After election to the state House of Representatives in 1959, Orvin ran unsuccessfully for the U.S. Senate in 1960. He became the state director of Advertising and Travel Promotion, 1962-69, then was appointed the director of FHA/HUD before retiring in 1978 and returning "home" to Big Timber.

Orvin was famous for his one-day family vacations visiting Yellowstone Park, balancing cups of water over cracked doors on April Fool's Day, taking naps anytime, anywhere, in front of anyone, talking without his teeth (to the delight of his grandchildren and chagrin of his wife and children) and smuggling trout from Hooper's ponds to trick others at the Annual Crazy Mountain Bash.

Orvin is survived by his beloved "Kitty!" (formerly known as "Socks" until he found out Bill Clinton had a cat of the same name) and his four children: Gail Fjare and Jon Fjare of Helena, Diane Braughton (Ronnie) of Billings, Nita Wheeler (Steve) of Bozeman and Billings; seven grandchildren: Jami Romney FitzGerald (Clint Romney) of Ninemile, Geoff FitzGerald (Kristi) and Kevin Braughton (Sonja Best) of Hamilton, Curt Braughton (Jenny), Tyler Wheeler of Billings, and Kyle and Abby Wheeler of Bozeman; three great-grandchildren: Kaiden and Kamas Romney (Ninemile) and Tira Braughton (Billings); several nieces and

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nephews: Monte (Cheri) Fjare, Mark (Kathryn) Fjare, Heather (Ruth) Fjare, Sharon (Wes) Glover, Wayne (Theresa) Fjare and Jason Fjare. Orvin was preceded in death by his three younger brothers, Kenneth, Harold and David Fjare.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

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GWYNN, WILLIAM GUY

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF WILLIAM GUY GWYNN ON APRIL 8, 2012 IN EUREKA, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE WILLIAM GWYNN BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Bill Gwynn, was born March 5, 1927, in Logan County, Ohio to Thurman and Edna Gwynn. When Bill was two and his older brother fourteen, the family strapped the sewing machine to the back of their Model T Ford touring car and drove west, through Yellowstone and Glacier National Parks. They made occasional stops to purchase baseballs for Bill, who was known to pitch a few of them out the side of the Model T. The family eventually settled into Tobacco Valley with Bill's Uncle Guy, on whos birthday he was born.

Like so many of his high school peers, Bill enlisted in the U.S. Navy during World War II, and returned to Eureka to graduate in 1948. He attended college at Centralia, Washington and returned home to his beloved woods. In June 1950, Bill married Edna McKenzie, and together they grew a family and a successful Christmas tree business.

Bill valued community service. During his lifetime, he served as a school board member, mayor and Democrat State Representative in 1975. He also coached Tobacco Valley youngsters in Little League, Babe

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Ruth and American Legion baseball. His coaching legacy lives on today in his tips that have been passed on for generations. In the 1950s, he helped organize and played "town team" baseball and basketball. He was a faithful fan of the Lions of Lincoln County High School. He was committed to teaching the young people of his hometown the value of hard work by providing them with jobs. He also taught the importance of honesty, being as good as one's word, and a strong handshake.

Bill developed a fondness for and pride in restoring antique vehicles. He refurbished a car for each daughter and also took great pride in their 1930 Lincoln Limousine, originally a Glacier National Park VIP car. He designed and built a truck camper that has become the source of fond memories of regular camping trips for his family. Bill enjoyed singing to his children and grandchildren, dancing at the local community hall dances, playing cribbage, pinochle and bridge.

Bill is survived by his wife Edna; daughter Cindy and husband Larry Viano; daughter Susie; daughter Shelley and husband Tom Shay; daughter Kelley and husband Terry Comstock; son Cade and wife Samantha; and son Colter and wife Amanda, along with his many grandchildren and great-grandchildren. He also leaves behind his dog Lizzie at the family home.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

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BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

HARDING, ETHEL

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF ETHEL HARDING ON FEBRUARY 1, 2013 IN POLSON, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE ETHEL HARDING BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HER CAREER ARE HEREBY NOTED:

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Ethel Marie Harding was born in Fishtail, Montana on September 19, 1927, the second daughter of Milton and Marguerite Israel. She was raised on farms west of Billings, and graduated from Billings Senior High. In 1943 she married Warren G. Harding, also from Broadview. After their marriage, Warren was shipped off to the European front in World War II. During the 31 months he was overseas, Ethel finished school and went to California to live with an aunt. While there, she attended business college and worked to save money.

In 1954, Ethel, Warren and their two young children moved to a ranch west of Polson. While ranching, Ethel launched her business career in the Sheriff's Office of Lake County, where she was secretary and deputy sheriff. She moved on to become Deputy Clerk in the Clerk of District Court's office. From there she ran for the job as Lake County Clerk and Recorder and held that office from 1966 until 1984. Ethel became a Montana State Senator from District 25 until leaving office in 1996.

"She was a fine lady, a strong person, just a good all-around person," said former Montana Supreme Court Chief Justice Jean Turnage of Polson, whose decision to run for the high court in 1984 opened the door for Harding to seek what had been Turnage's Senate seat.

In 1974, tragedy struck Ethel's life. Her daughter Lana was murdered. After leaving public office, Ethel's energies turned to the development of a children's ministry in Lake County. This ministry has grown and expanded through the years, and has impacted the lives of countless children, young people and their families.

Ethel is survived by her son and daughter-in-law, Greg and Kim Harding; grandchildren, Jayme and Keegan Lenker, Tyler and Katie Harding, Jenna Harding, and Trenton Harding; great-grandchildren; three sisters, and numerous and beloved nieces, nephews, aunts, uncles, cousins, and friends.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

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HAYNE, HARRIET ANN DANIELSEN

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF HARRIET ANN DANIELSEN HAYNE ON FEBRUARY 13, 2012 IN CONRAD, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE HARRIET HAYNE BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HER CAREER ARE HEREBY NOTED:

Harriet Ann Danielsen was born at home on September 11, 1922, on Puget Island, Washington, the seventh child of Angeline and Albert Danielsen. After graduating from Wahkiakum County High School, she attended Heald College in San Francisco. In 1943 she enlisted in the newly established U.S. Marine Corps Women's Reserve and was part of the second boot camp trained at Hunter College in New York City. Stationed in San Francisco, she met U.S. Navy officer Jack Hayne. When their service ended in April 1946 Jack and Harriet married in New Orleans.

With the benefit of the G.I. Bill, Harriet and Jack attended Washington State College. In 1953 they moved their new family to a ranch in Dupuyer. Harriet led a busy, industrious life as a ranch wife and mother of four children.

For 58 years Harriet served as an active member of her community and state. She worked for the Republican Party and represented her district in the Montana House of Representatives for 20 years, often assigned to chair number one in the chamber. Through the years she participated in the Dupuyer Women's and Community Clubs, Dupuyer community plays, Girl Scouts, 4-H, American Legion Auxiliary, Cowbelles, and Agriculture in Montana Schools. Harriet was a Girls State counselor for 12 years. She sang in the choir of the Valier Lutheran Church and provided music for weddings and funerals. Harriet was known for boundless enthusiasm and wholehearted effort in all her endeavors.

In 1997 the Montana National Guard Association and the Enlisted Association of the National Guard of Montana honored one legislator for their support of veteran and military issues. Harriet became the first recipient of this award, known as the Colonel Harry C. Kessler "First Montana Volunteer" Award. She was honored, not only for her support for the Montana National Guard and veterans, but also for her status as the only female veteran in the 55th Legislative Session.

Harriet is survived by Jack, her husband of 65 years, daughter Mary and her husband David Tonkovich; son John and wife Leanne Hayne; daughter Ali and husband Robert Newkirk; and daughter Nancy and her husband Dennis Williams; her sister-in-law, Suzi and husband Jim Vander Stoep, as well as many grandchildren, nieces, nephews, great-grandchildren and friends.

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NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

HERTEL, JOHN RAYMOND

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF JOHN RAYMOND HERTEL ON AUGUST 11, 2012 IN LEWISTOWN, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE JOHN RAYMOND HERTEL BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

John was born May 9, 1940, in Lewistown, Montana, to Wilmer and Margaret Hertel. He attended grade school at the Trout Creek School and graduated from Moore High School in 1958. He graduated from Rocky Mountain College with a degree in biology and physical education. In September 1959, John married Dixie Campbell. They had three children, Karen, Steven and Tawnia.

John taught school in Moore and Denton for a total of eleven years. In addition to teaching, he coached basketball, football and track. As boy's basketball coach in Denton, he earned the distinct honor of leading the first and only team since to the State Tournament in 1970. In 1973, John and his family moved back to the Hertel Ranch south of Moore, where John farmed and ranched with his father and, later, his son.

John was involved with community activities and organizations. He served on a number of boards and was a 4-H leader, a member of the United Methodist Church in Moore and the Judith Masonic Lodge. John was elected to the Montana State Senate for two consecutive terms and proudly served for eight years, where he chaired the Business and Industry Committee and was vice chairman of the Education Committee. Other committees he sat on include Fish Wildlife & Parks, Local Government, State Administration, and the Private Lands Public Wildlife Council.

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John was a hard-working man, dedicated to his family and to his beloved ranch. Being a part of the lives of his children and grandchildren was important to him. He enjoyed hiking, camping and all kinds of music. He is remembered as a man of wisdom, thoughtfulness, humor and hard work.

John is survived by his wife of 53 years, Dixie; children, Karen and Bruce Barta, Steve Hertel and Denise Chrest, Tawnia and Heath Gerber; grandchildren, Timothy and Kassie Barta, Richelle and Shayna Hertel, and Autumn Gerber; sisters, Margaret Witzel, Jean and Harry Strong; cousins, nieces, nephews and his many friends.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

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BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

HOCKETT, ROBERT GEORGE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF ROBERT GEORGE HOCKETT ON MAY 7, 2009 IN HAVRE, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE ROBERT HOCKETT BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Robert was the oldest of three sons, born September 12, 1925 on the family homestead, southwest of Havre, to George and Sophia Hockett. He attended a one-room country school near the farm before moving up to Havre High School, where he graduated in 1943. He worked for Great Northern Railroad for one year before being drafted into the army, where he served as an MP in Puerto Rico.

After his service, he returned to the railroad in Havre, and then attended college at MSU Bozeman, where he graduated with a degree in Agriculture Education in 1951. After graduation, he returned home to run the farm, in addition to working for the Soil Conservation Service, and later as a surveyor for Hill County.

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He then began an extended career teaching mathematics, auto and diesel mechanics and welding at Northern Montana College. In 1967 Bob earned his Master's Degree in Industrial Arts at Oregon State University. It seems he could not stay away from Havre for long, for he returned to Northern Montana College until his retirement, by this time as Dean of the Vo-tech Division. Bob continued his affiliation with the college with part-time work for their Foundation for six years. Not one to be idle, Bob also carried on farming full time with his son Jeffry.

Bob was a state senator from 1991 to 1994. He was active in numerous organizations and served on several boards, including Farmers Grain Exchange, Soil and Water Conservation, and Northern Montana Hospital. In 2003, Bob was honored to become the recipient of Ag Leader of the Year. He was a lifelong member of First Lutheran Church and is known for his particular dedication as ice cream server at the church's lutefisk dinners. Education was highly valued by Bob, and he was proud that all five of his children graduated from college.

Bob is survived by his first wife Voila Joyce, second wife Jessie, and five children: Melanie and Joe Ruby; Lorrie Hockett; Jeffry and Kayleen Hockett; Kathie and Abdul Kadri; Sherrie and Wayne Hockett; His grandchildren: Greg Strandberg; Shayne Guttery; Michele Hockett; Zane and Lacey Gibbons; and his brothers: Roy Hockett and Eugene Hockett.

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THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FIFTY-SIXTH LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

JONES, DAPHNE BUGBEE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECORD THE PASSING OF DAPHNE BUGBEE JONES ON FEBRUARY 18, 2012 IN MISSOULA, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF DAPHNE JONES BE

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FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HER CAREER ARE HEREBY NOTED:

Daphne Bugbee Jones was born on July 21, 1921, in Pensacola, Florida, to Lt. Robert and Barbara Eaches. Daphne began school in southern France, and continued her elementary and secondary education in California at the Howard School in Montecito and Bishop's School in La Jolla. She entered Mills College in 1940 and transferred to Bennington College one year later.

With the eruption of World War II, Daphne enlisted in the U.S. Navy as a WAVE, and was stationed in San Francisco. As a lieutenant, she was assigned to the Patrol Force on Treasure Island, where she worked for three years coding and decoding secrets and confidential messages for the Patrol Force that protected the larger San Francisco area. After the war Daphne carried on her education at Harvard's School of Design, where she earned a master's degree in architecture. While at Harvard, Daphne met Henry Bugbee, whom she married in 1948. Ten years later they moved to Missoula where Henry taught at the university and Daphne became immersed in politics and architectural design. The two later divorced.

Daphne became a full-time legislative lobbyist in Helena for the League of Women Voters of Montana, advocating for major governmental reforms. She worked on efforts to pass the state's first minimum wage in 1971. She was elected as one of eight delegates from Missoula County to be sent to the Montana Constitutional Convention. Later, Daphne was called to serve briefly in the Montana Legislature to fill a vacancy.

In 1980, Daphne married Dr. Wendell Jones. Before his death in 1998, they spent their years together traveling, golfing and enjoying time with friends.

Daphne is survived by her son, Henry (Taj) and his wife Kim; her daughter, Barbara Heavy Runner; four grandchildren, Dylan Bugbee, Olivia Bugbee Bucks, Danny Nisbet, Eugene Heavy Runner; one great-grandchild, Elliott Bucks; six stepchildren, Ann Berkley, Joan Bugbee Jackson, Bruce Bugbee, Mary Ann Jones, Sarah Jones, David Jones; and five step-grandchildren.

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KESSNER, JACK E.

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF JACK E. KESSNER ON SEPTEMBER 21, 2011 IN GREAT FALLS, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE JACK E. KESSNER BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Jack was born in Great Falls, Montana on October 26, 1929, to William and Audrey Kessner. He grew up on a ranch in Brigham Coulee near Raynesford and graduated from Belt Valley High School. He attended Montana State College in Bozeman for two years and graduated from Kinman Business University in Spokane, Washington. He worked as bookkeeper for Sherwin-Williams before starting his own business, Jack Kessner Builders.

Jack married Verna Johns in 1955 and they had two children, Kurt and Kari. A year later, he and his brother William, along with Horace-McGinty, began development of Riverview in Great Falls. In 1973 and 1974 he served as a State Representative in the Montana State Legislature. Then in 1982, after building more than 600 houses, Jack retired.

Jack had a great love of trap shooting. He shot on the state team, sat on the State Trap Shooting Board and was instrumental in building the Great Falls Trap Club, where he served as president. He loved his family, and enjoyed skiing, good food, gun collecting, traveling, morning coffee with friends, having Friday beers and cooking corned beef and cabbage for 70 of his closest friends on St. Patrick's Day.

Jack is survived by his son, Kurt and wife, Laurie Kessner; daughter Kari and husband Mike Tierney; and grandchildren Halsey and Brit Kessner and Hannah, Jack, Bridget and Maegan Tierney.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE

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SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

LOWE, WILLIAM R.

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECORD THE PASSING OF WILLIAM R. LOWE, SR. ON SEPTEMBER 2, 2006.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF WILLIAM R. LOWE SR. BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

William R. "Bill" Lowe, Sr. died September 2, 2006, from complications of a fall and head injury. Born in Glendive on February 21, 1915, to Ray and Francis Lowe, he grew up with his older sister Ruth, and graduated from Dawson County High School in 1933. He went to De Pau University on a scholarship and became a member of Delta Tau Delta fraternity. He transferred to the University of Minnesota and earned a degree in Civil Engineering.

Bill was musically gifted. He learned to play the saxophone as a young boy and played a saxophone solo with the John Phillip Sousa Band at age 5 when it toured through eastern Montana in 1920. Bill enjoyed playing the piano his entire life, playing in church as a young boy, in a dance band in college, every Wednesday at the Mission Ridge Vespers services, and at any other suitable occasion. Bill played the piano by ear with expertise up until the last two weeks of his life.

Bill literally married the girl next door, Ruth Constance Westrum, in June of 1939; they stayed happily married for the next 67 years. When the U.S. entered World War II, Bill enlisted in the Navy, leaving behind his young, pregnant wife and 2-year-old daughter. He served in the Seabees and spent the war years carving out runways and building support facilities for the war effort in the jungles of the Philippines and New Guinea. With the end of the war, Bill returned to his young family, which now included a 6-year-old daughter, Pamela, and a 4-year-old son, Jim. He had the opportunity to go into the construction business and became a partner in Riedesel Construction. Over the years, the company transitioned and eventually became Lowe Construction. A private plane pilot, he served on the airport commission and was instrumental in keeping Logan Field at its present location when it might have been moved to Broadview. Bill was a Senator from Yellowstone County in the 1970's. He was a founding member of ZooMontana.

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NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FIFTY-SIXTH LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

MAZUREK, JOE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF JOE MAZUREK ON AUGUST 28, 2012 IN HELENA, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE JOE MAZUREK BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Joe was born July 27, 1948, in San Diego to Priscilla and Thomas Mazurek. Nine months later, his family relocated to Helena, where he graduated from Helena High School in 1966 after serving as student body president. Joe attended the University of Montana, and upon graduating, he married Patty, his high school sweetheart, in 1970. For the next two years he served his country as a First Lieutenant in the United States Army. He then returned to the University of Montana, where he graduated from the School of Law in 1975. He went on to practice law in Helena until 1992, during which time he served three consecutive terms in the Montana State Senate, serving as Senate President and chairman of the Judiciary Committee. In 1992 he was elected as Montana's Attorney General, a position he held until 2000.

Throughout his professional and political career, Joe was known for his integrity, honesty and respect for ethics. He was a unifying leader and bridge-builder. He was an extraordinary political leader revered for working across party lines to advance the best interests of the people of Montana. As a point of pride for Joe, he worked to pass spending increases for K-12 and higher education while in the Senate, led the state's involvement with the FBI to bring the Freeman standoff in eastern Montana to a peaceful conclusion, secured Montana's settlement against the tobacco companies and argued successfully before the U.S. Supreme Court as Attorney General. He was a commissioner of the National Uniform State Law Commission

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from 1984 and was designated a "life member."

Joe was recognized for his exceptional accomplishments and service when he received the University of Montana Distinguished Alumni Award in 2010. Despite his own humility, he was praised as a man of distinction, honor and decency. Joe was deeply committed to his family and guided his sons to "work hard and make your family a good name."

Joe is survived by his wife, Patty Mazurek; sons, Tom and wife Kathryn Mazurek, Jeff and wife Danielle Mazurek and Dan Mazurek; and siblings, Byron, Charles, Bill, David, Sonia and Nancy Mazurek, as well as two grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

McKEON, JOHN LUKE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF JOHN LUKE MCKEON ON DECEMBER 2, 2011 IN ANACONDA, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE LUKE MCKEON BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

John (Luke) McKeon was born October 6, 1925, to Michael and Mary McKeon. Like all Anaconda natives, he was raised in the shadow of the stack. He lived most of his life a few blocks from his original family home. As part of the "Greatest Generation," his early life was shaped by the Depression, school, religion, sports, and World War II. He graduated from St. Peter's High School and then enlisted in the Coast Guard from 1943 to 1946. Luke saw action fighting in the Aleutian Islands. While in combat, Luke was shot and took great pride in his status as a Disabled American Veteran.

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After the Armistice, Luke returned to Anaconda where he married Margie Eklund and from that union four children were born. They later divorced. With the help of the GI Bill, Luke completed an undergraduate degree in two years, and earned a law degree two years later. While working in Helena in the attorney general's office, he met Harry Truman and rode the train with him on the famous Truman whistle stop-tour through Montana.

After a time in Helena, Luke returned to Anaconda and started a small private law practice. He ran for county attorney and served one term. With politics in his blood, Luke ran for and won a seat in the Montana Senate. He was appointed chairman of the Senate Judiciary Committee, a position he held for a number of terms. In 1964, he ran for lieutenant governor and took second in a field of six Democrats in the primary. With three other individuals, Luke contributed his legal and political talents so that financing was secured for the development of Fairmont Hot Springs. He served on the Anaconda-Deer Lodge Council of Commissioners, was a past post commander of the Veterans of Foreign Wars, a member of the Ancient Order of Hibernians and Knights of Columbus, was appointed a member of the Commission of Post Secondary Education by Gov. Thomas Judge, and served on the Anaconda school board.

Luke spent the rest of his life practicing law. He devoted a large amount of his time to helping friends and others without charging a fee, winning the admiration of local people.

In 1987, Luke and Ellen McCarthy married. Luke is survived by, Ellen; sons, Mick and Carol McKeon; Tim and Helen McKeon; daughter, Michele and Paul McCann; a brother; seven grandchildren, a great-grandchild; brothers-in-law and sisters-in-law; numerous nieces and nephews; and his loyal dog, Buddy.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

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McLANE, HARRY

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF HARRY McLANE ON MAY 24, 2011 IN MESA, ARIZONA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE HARRY McLANE BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Harry H. McLane was born August 22, 1925 in Minot, North Dakota, son of Kenneth and Muriel McLane. He attended school in Minot, joined the ROTC and after graduation attended the University of Kansas. During this time, he found himself serving in World War II in the 342nd, 86th (Black Hawk) Infantry Division of the U.S. Army. Toward the end of the war, while serving in Europe, Harry was captured and held prisoner until the war ended. Having survived his captivity, he arrived safely back on his home soil and enrolled in optometry school in Chicago. Upon graduation, he practiced one year before opening an office in Laurel, Montana, where he spent the next 35 years.

In 1951, Harry married Jean Baird and adopted her son. Harry was very active in his community, with memberships in the Laurel Chamber, Masonic Lodge, Al Bedoo Shrine, American Legion, Kiwanis, Rotary, V.F.W. and Elks Club. After retirement he ran for the Montana State Senate and served two sessions before moving south to Arizona.

Harry is survived by his wife Jean, son Norman and wife Kathy McLane, daughter Shannon and husband Gary Brown, a granddaughter, two great-grandchildren, a sister, and numerous nieces and nephews.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

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BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

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McNAMER, BILL

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF BILL McNAMER ON MAY 16, 2011 IN BILLINGS, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE BILL McNAMER BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

William McNamer was born in Shelby, Montana on October 19, 1928, the youngest child of Bruce and Lucy McNamer. He attended college at the University of Montana and Gonzaga University, earning a law degree in 1955. Bill served in the Korean War as an infantry platoon officer. Upon his return to Montana, he moved to Billings, where he practiced law for close to 50 years, and served the State of Montana as a Republican in both the House of Representatives and the State Senate.

Bill met Elizabeth Forster on a ski trip to Aspen in 1961, and they were married in May of that year. He is survived by Elizabeth and five children: Bruce, Sarah, Bridget, Amy and Deirdre; and eight grandchildren.

Bill was active in many community organizations including the Republican Party, Billings Symphony, Community Concert, YMCA, and St. Patrick's Church. He serves as special advisory to Bishop Milone and received the Frank Haswell Award for outstanding article on "Defending a Legal Malpractice Action" in 1991. He was a loving, kind husband, father and friend.

Bill loved his family and was devoted to them. His other great passions were singing, his Catholic faith, and service - he was in every way a "Man for Others." His hobbies included fishing, the melodeon and tennis.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

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MULAR, JAMES

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF JAMES MULAR ON NOVEMBER 6, 2010 IN BUTTE, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE JAMES MULAR BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

James Mular was born October 23, 1929, the oldest of six children to Harry and Lena Mular. In 1945 he left high school to join the Marines, where he served our country for seven years in Korea during World War II. After returning from his service in 1952, Jim attended college in Dillon. While there, he met Florence Johnson, and in 1954 they were married. They raised their only son, Mark, until his untimely death in 1978.

While working for the Northern Pacific Railway, Jim undertook the LaSalle Home Law Course and used his newfound knowledge to become elected to the Montana State Legislature. During his time as a lobbyist for the Transportation Communication Union, Jim was involved in setting up an aid relief center for the striking miners by asking ranchers and farmers to donate beef and potatoes to their families. He also asked local merchants to donate shoes for the children. He is remembered for his humility in helping others.

Jim is survived by his wife, Toni; brothers, Andy and Ruby Mular, and Harry and DeeDee Mular; sister Zana and Skip Ankeny; sister-in-law, Gertrude Mular; brother-in-law, Jim Hayden; and many nieces, whom he always treated as if they were his own daughters.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

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NEFZGER, DONALD DEANE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF DONALD DEANE NEFZGER ON DECEMBER 31, 2005 IN GLENDIVE, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE DONALD NEFZGER BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

On November 5, 1921, Donald Deane Nefzger was the ninth child born to Charles and Catherine Nefzger at their farm near Vida, the town his grandfather had founded in 1910. He attended grade school at the Wolf Creek School, on property donated to the school by his father. He graduated from Wolf Point High School in 1941 and enlisted in the Army Air Force shortly after the Japanese attacked Pearl Harbor, where his brother was stationed. He was very proud of his service to his country as an Airplane Maintenance Technician on B-25 bombers with the 82nd Bombardment Squadron. He served under Generals Patton and Montgomery in North Africa, Sicily, Italy, India and Burma. Having circled the world in his travels, he returned to Vida on his father's birthday in May of 1945. He chronicled his travels in his book "Around the World the Hard Way," which was very popular with his large extended family.

In 1946 Donald purchased his first three-quarter section of land from his uncle. Fifty-five years later, in 2001, he left the land on which he had lived, just one-half mile from the place of his birth, to retire to Glendive.

In September of 1950, Donald married Anna Schlenker, and together with their three children they farmed several sections of wheat, barley and safflower, and ran a few head of cattle. Donald loved farming and watching crops grow. When he wasn't fixing something on the farm with his trusty pliers and bailing wire, he might be found reading westerns or watching his sons play baseball, basketball and football. He was a spectacular storyteller, reminiscing with great humor about his childhood during the homestead days.

Donald served in the Montana State Legislature as a representative from McCone County from 1965 to 1966. He was active in the Veterans of Foreign Wars Post 4813, advancing through local, district and state posts. He served as State Commander from 1972 to 1973 and later as National Judge Advocate. He was also a member of the Wolf Creek School Board and Wolf Point Elks Lodge.

He is survived by his wife Anna and three children, Dan Nefzger, Deanna and Craig Hostetler, and Darrell and Patti Nefzger; one sister, Fern Garding; a brother, Bob Nefzger; brothers-in-law, Ray Miller and Kermit Tjon; and many nieces and nephews.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE

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OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

NELSON, RICHARD

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF RICHARD NELSON ON FEBRUARY 16, 2012 IN KALISPELL, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE RICHARD NELSON BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Richard Morton Nelson was born in Denver, Colorado on November 19, 1925, to Alfred and Marion Nelson. He graduated from Denver University in 1944, obtained a master's degree from Montana State University and earned his library endorsement. He taught physics, chemistry, and algebra for 35 years until he retired from teaching in 1984. One year later, he was elected to the Montana State Legislature, where he served three terms.

In 1956, Dick married Alice Curry in Hope, North Dakota, and together they had a son.

Dick was on the Kalispell Parking Commission, a member of Lodge 42 of Kalispell, a Master Mason, and an advisor for DeMolay for 14 years.

Dick is survived by his wife, Alice, and son, Douglas G. Nelson; grandson, Douglas J. Nelson and wife, Karen; sister, Carolyn Fenner, and husband James; and great-grandchildren, Caleb Mouw, Sarah and Peter Nelson.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN

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THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

NICHOLS, NORRIS

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF NORRIS NICHOLS ON JUNE 22, 2011 IN STEVENSVILLE, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE NORRIS NICHOLS BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Norris Nichols was born in Stevensville on November 11, 1913, the son of Homer and Verda Nichols. He attended Stevensville schools and graduated in 1932. Two years later, he married Virginia Strange. They farmed and ranched in the Etna area of the Bitterroot Valley for 59 years. He was a member of the Western Montana Sugar Beet Growers Association, serving as president of the National Beet Growers Association in 1963. He was also one of the original members of the Etna Rural Fire District and served as a trustee for the Etna elementary school district. He was a member of the Victor Masonic Lodge No. 43 and the Baghdad Shriners of Butte.

In 1954, Norris was elected to the Montana House of Representatives, where he represented Ravalli County for 20 years. For five sessions, he served as chairman of the Appropriations Committee. After 20 years and ten sessions, he hung up his political hat and went to work for the Montana Department of Revenue. After eighteen years there, he retired with his wife Virginia in Helena in 1991. He spent his last year of life back in Stevensville, having lost his beloved wife of 62 years in 1997.

Norris is survived by sons, Gib and Sally Nichols, Ben Nichols and special friend, Sabre Jensen; daughter, Karyl and Charles Arndt, brother, Rex and Bonnie Nichols; four grandchildren, and nine great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN

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THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

O'HAIR, ALLYN W.

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF ALLYN W. O'HAIR ON APRIL 7, 2007 IN LIVINGSTON, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE ALLYN O'HAIR BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Allyn was born November 18, 1910 in Dickinson, North Dakota, to James and Adeline O'Hair. As a young boy, his family moved to Terry, then to Minnesota. After completing his schooling, he found work wrangling wild horses and working on threshing crews in eastern Montana. During the Great Depression, Allyn joined the thousands of young men who rode the rails throughout the country in search of work, earning money to send back to their families.

In 1931 his travels landed him in Livingston, where he went to work on the Paul Armstrong Ranch south of town. It turned out that Mr. Armstrong had a daughter named Agnes, and in March of 1936 a wedding was celebrated on the ranch. Together, Allyn and Agnes assumed the management of the ranch and went on to have four children. Years later, in the 1970s, they established Armstrong's Spring Creek and for the next thirty years welcomed sport fishermen onto one of the finest spring creeks in the world.

Over the course of his many years in Park County, Allyn was active in a number of civic organizations and offices. He was past president of the Park County Pioneer Society, member of Livingston Rotary Club, chairman of the Park Branch Canal Association, member of Richland school board, Park County planning board, a director of the Park County Conservation District, member of the American Hereford Association, 4-H leader, and served two terms in the Montana Legislature.

Allyn is survived by two sons, Jerry and Virginia O'Hair; Andy and Karen O'Hair; two daughters, Mary and Russ Dolven; Bonnie and Jim Francis; a brother, Wally and Virginia O'Hara; six grandchildren, 12 great-grandchildren, and numerous nieces and nephews.

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NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

O'NEIL, CARLE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF CARLE O'NEIL ON JANUARY 31, 2013 IN KALISPELL, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE CARLE O'NEIL BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Carle Francis O'Neil was born in Kalispell to Clinton and Emma O'Neil on June 17, 1920, the youngest of four surviving children. He attended the West Side School and Flathead High School, and then went on to Carleton College, where he graduated with distinction in 1943.

During World War II he enlisted in the Navy and served in Hawaii, then as a Lieutenant Junior Grade ship's officer in the South Pacific. After the war he returned to Montana, where he earned a masters degree in history at the University of Montana. He returned to Kalispell as the juvenile probation officer and served as a State Representative of Flathead County in the Montana Legislature. Later, at the University of California he obtained a Master of Social Work degree with a criminology emphasis.

In 1962, while directing the Eldora State Training School for Boys in Eldora, Iowa, Carle married Joyce Rowland and adopted her two children.

Upon retirement in 1973, Carle returned to the Flathead Valley and became a partner in Western Building Center. He was a member of the Montana Board of Public Welfare and served seven years as chairman of the Juvenile Justice Advisory Council of the State Crime Commission. He and Joyce moved to Washington, D.C. for several years, where Carle directed a project of the National Organization for Social Responsibility.

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When they again returned to the Flathead, Carle's interest in history launched him into a decade of writing and publishing books relating the history of the Flathead Valley, as well as a book of Flathead National Guardsmen's World War II survival stories.

Carle is survived by his daughter, Anne Brown; two nieces, four nephews, members of Joyce's family and numerous other cousins, nieces and nephews.

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PECK, RAYMOND LESTER

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF RAYMOND LESTER PECK ON MAY 27, 2011 IN HELENA, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE RAYMOND PECK BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Ray was born in Whitefish on June 23, 1926, to Pearl and Asa Peck, one of 14 children. After high school, he served as a tail gunner in the Army Air Force during World War II. After the war, Ray began his career as an elementary teacher in Gildford, and then moved to Harlem, where he taught and coached on the Fort Belknap Reservation. In 1951, he coached Harlem to a state championship in six-man football and stayed in touch with the members of that team all his life. His career took him to schools in Hingham and Big Sandy, then to the College of Professional Schools Office at Montana State University. He went north to teach at Northern Montana College and finally to the administrative offices of Havre Public Schools.

In 1947 Ray married Ilse Sonnek in West Germany and they had six children. They later divorced after 27 years of marriage. In 1975, Ray married Betty Collins and added her four children to the family. With

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encouragement from his wife Betty, Ray ran for public office and was elected to the Montana House of Representatives in 1983, where he represented Havre for the next 18 years. During that time he was known as a knowledgeable and ferocious advocate for K-12 public education. In 1995 he was elected House minority leader and was the recipient of numerous local, state and national awards.

After leaving office in 2001, he stayed very active in politics. He worked with the Democratic Caucus in the Montana Senate, lobbied to abolish the death penalty in Montana, and provided counseling and support to combat veterans in the Vet2Vet program at Fort Harrison until his death.

Ray is survived by his partner, Annabelle Richards; three children; four stepchildren; two sisters; a brother; 23 grandchildren; and numerous great-grandchildren.

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BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

PINSONEAULT, RICHARD

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF RICHARD PINSONEAULT ON DECEMBER 14, 2012 IN NAVARRE, FLORIDA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE DICK PINSONEAULT BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Richard was born in St. Ignatius on October 15, 1929, to Gustav and Bertha Pinsoneault. He graduated from St. Ignatius High School, then attended the University of Montana, where he was a walk-on for the football team. He graduated in 1953 with a degree in physical education and promptly entered the U.S. Air Force. It was during this time that he met Marilyn Carlisle, and they were married in 1955. Mary and Dick traveled around the country and overseas to Johnson Air Force Base in Japan, where Dick played on what would

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become the base's Far East Championship Football team. In 1957, he left the Air Force to return to the University of Montana, where he earned a law degree.

Dick entered the Naval Judge Advocate General Corps and proudly served on duty stations in Illinois, Rhode Island, Puerto Rico, and Seattle, until his retirement in 1980. While serving our military, he received two National Defense Service Medals, a Navy Commendation Medal and a Navy Expert Pistol Shot Medal. After retiring, he returned to the family ranch outside of St. Ignatius, where he practiced law until 1992.

During these years, Dick served two terms in the Montana Senate, and was chairman of the Senate Judiciary in his final term.

Dick valued education, his Catholic faith, supported the St. Ignatius Mission school and church, and enjoyed his life on the ranch.

Dick is survived by his wife Marilyn; daughters, Tammie White, Michelle and Don Vipperman; sons, Michael and Patricia, and Thomas and Brenda; and grandsons. He is also survived by two sisters, a brother, and a large extended family and circle of friends to whom he was fondly known as "Pop."

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

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ROBBINS, HERSHEL

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF HERSHEL ROBBINS ON JUNE 21, 2012 IN ROUNDUP, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE HERSHEL ROBBINS BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

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Hershel Matthew Robbins was born December 24, 1922, in the small town of Luling, Texas, to Matthew and Margaret Robbins. A few years later, his family moved to Austin, where he was raised and attended school. In 1940, at the age of 17 and with his mother's permission, he joined the U.S. Navy. He was stationed on Ford Island in Honolulu, Hawaii, a year later and became a witness to the attack on Pearl Harbor by Japanese armed forces. He remained in the Navy throughout the rest of the war, serving on several Navy vessels.

In 1943, Hershel met Audrey Catherine Rae in San Francisco. They were married one year later on St. Patrick's Day 1944. In 1945 he was discharged from the Navy and the newlyweds returned to Texas and settled in Austin. After their first daughter was born a year later, they vacationed in Audrey's home state of Montana, and decided to relocate their family to her hometown of Roundup. Over the next 21 years they added six more daughters to the family while Hershel worked in the oil fields, at a local gas station and lumberyard, then as a Darigold milk distributor in Roundup. He ended up purchasing Lind's Dairy in 1974, which has been renamed and passed down through generations of family members.

Hershel was civic-minded and politically active on a local, county, and state level. He was elected as an alderman to the Roundup City Council for four years and then as mayor of Roundup for eight years. He was elected to the Montana State Legislature in 1968 and served in the House of Representatives for five sessions. He also served one year as a Montana State Senator when he was appointed to fill out the remainder of a vacant seat. Hershel was then elected as a Musselshell County commissioner in 1980 and served for eight years. That same year, he was appointed by the governor to serve on the Montana State Coal Board. He was elected chairman of the board and served until 1989. He continued to be active in government as a lobbyist, representing Roundup and Musselshell County in the Montana Legislature in Helena.

Hershel also remained active in the military, serving in the National Guard and as commander of the local unit. He was a member of the Chamber of Commerce, Rotary Club and on local hospital and cemetery boards.

Hershel had a deep love for God, his family and his country. He enjoyed family holidays and events, sipping a cold drink on his porch, a good game of poker with the boys of the family, and giving away the Kennedy half-dollars he collected to children. Hershel is survived by his seven daughters; numerous grandchildren and great-grandchildren, a sister and countless other family and dear friends.

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THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

ROSELL, ANTOINETTE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF ANTOINETTE ROSELL ON APRIL 18, 2011 IN BILLINGS, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE TONI FRASER ROSELL BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HER CAREER ARE HEREBY NOTED:

Marie Antoinette was born on September 18, 1926 in Princeton, Illinois, to Robert and Rosabel Fraser. The family moved to Billings, and Toni graduated from Billings Senior High in 1944. Four years later, she graduated from the University of Montana with a degree in psychology, and then continued her education at Columbia University Teacher's College in New York, where she earned her master's degree in student personnel administration in 1952. Her long career included an assortment of educational counseling and administrative positions on both college and secondary school levels.

In 1957 Toni became the first woman elected to the Montana House of Representatives from Yellowstone County and the only woman in the House at that time. She went on to serve three terms in the Montana House of Representatives. When she married Earl Rosell, who provided support and encouragement for her political ambitions, she made the Rose her political logo. In 1959 their daughter was born. Not quite ready to conclude her career in public service, in 1967 Toni won her first of four terms in the State Senate. She worked tirelessly for women's rights and for Montana's ratification of the Equal Rights Amendment to the U.S. Constitution. In 1975 she put another crack in the proverbial glass ceiling when she became the first woman elected to a position of leadership in either House, as Senate Minority Whip. One year later, she was honored by an appointment to the National Advisory Council on Economic Opportunity by President Gerald Ford.

Through the years Toni was involved in supporting and engaging in organizations, as well as serving on boards too numerous to name. Toni always made time for family and friends, and she and her husband shared a deep love for Native culture and traditions. She is remembered for her "boundless energy and

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generosity, her positivity and wit, and her abiding faith in our ability to change for the better.”

She is survived by her daughter and son-in-law, René and Richard Yarbrough and their children, Jordan, Shelby, and Hayden; by her stepdaughter Erleen "Tami" Rosell and her children Rebecca, Christie, and Matheu, and granddaughter Victoria; by her step-granddaughter Sarah; by her siblings Susie Kurth, Carol Fraser and Robert Fraser; and by numerous nieces, nephews and dear friends.

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SCHEPENS, FRED

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF FRED SCHEPENS ON SEPTEMBER 15, 2012 IN GLENDIVE, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE FRED SCHEPENS BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Fred Schepens was born on October 23, 1921, in Glendive, a son of John and Ernstena Mae Schepens. He was raised and educated in Glendive, and graduated from Dawson County High School in 1939. In 1943 he enlisted in the Air Force and served in North Africa and Italy during World War II. He was honorably discharged from military service in 1948, after which he returned to Glendive to farm, ranch, and operate a local store. Fred served as Dawson County Sheriff, Justice of the Peace and Postmaster for 18 years.

In 1950 Fred met and married Edith Mae Bennett, and they raised their three children in Glendive. Fred was a member of the American Legion Club, Veterans of Foreign Wars post number 1125, Knights of Columbus, State Credit Union Board, and the Glendive School Board. He was also active in the Boy Scout Regional Board; was Local President and State Governor of the Kiwanis Club, and as a race horse owner, Fred was President of the Montana Breeders Association. Fred served in the Montana House of Representatives in 1962 and 1964.

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Fred is survived by his wife, Edith; children, Bennett and Dona Schepens, William and Linda Schepens, and Bonita and Brent Larson; five grandchildren, two siblings, and numerous nieces and nephews.

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SMEDING, SAMUEL A.

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF SAMUEL A. SMEDING ON APRIL 9, 2002 IN BIG TIMBER, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE SAMUEL SMEDING BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Samuel A. Smeding was born November 27, 1915 in Roundup, Montana to Samuel and Edith Smeding. He graduated from Huntley Project High School in 1936. Two years later he married Florence Rieman. In 1942 he entered the service and served in the African and Italian campaigns of World War II. After the war and his honorable discharge in 1945, Samuel and Florence ranched in the Bull Mountains and then in 1962 moved to Lone Mountain Ranch on the Gallatin. Eight years later, they moved to the Madison Valley, and eventually retired on Bridger Creek in 1983.

Samuel was known for his love of fine Hereford cattle and he was proud to raise and break good stock horses. One of his joys in life was riding and working in rodeos, and he was a charter member of the Musselshell Rodeo Association. Samuel was a life member of the Masonic Lodge and Veterans of Foreign Wars; he was a member of the Elks and American Legion and the four-state grazing committee, Shriners, Montana Stockgrowers and Farm Bureau, and was past president of the Buffalo Grazing District. He also served in the Montana Legislature.

He is survived by his wife Florence; his daughter Alice and Morlee Vander Voort; son Edward Smeding; five grandchildren, Wayde Vander Voort, Mark Vander Voort, Peggy Everts, Mandy Mullikin, Angie Mullikin; and seven great-grandchildren.

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STOVALL, JAY

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF JAY STOVALL ON DECEMBER 15, 2011 IN BILLINGS, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE JAY STOVALL BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Jay was born on March 2, 1940, in Billings, to Orville and Margaret Stovall. He married the love of his life and true lifetime partner, Juanita Schuppe in 1960.

Jay grew up cowboying during the days before horse trailers and fences, on his parents' and his uncles' ranches. In 1989 he was honored to be the Trail Boss for the Montana Centennial Cattle Drive. This led to his public service career in the Montana State Legislature as a Representative for eight years and a Public Service Commissioner for four years. Prior to his state public service, Jay was appointed by President George H.W. Bush to represent Indian and minority issues in education and in the USDA. He was a proud enrolled member of the Crow Tribe and felt that he needed to help give Crows a voice. Most recently, Jay was appointed to the Cattlemen's Beef Board. He was a long-term member of Montana Stockgrowers and NILE, while being a charter member of the National Cattlemen's Association. As a longtime member of the Al Bedoo Shrine and Black Horse Patrol Unit, one of his fondest memories was escorting President Reagan's stagecoach into the Metra and welcoming the President with a handshake. He loved to talk about the horseback ride down Pennsylvania Avenue with fellow Montanans during the inauguration parade of President George W. Bush.

Jay was known for his love of cowboying and his genuine love for people. He was generous, kind, purposeful, and a strong leader who touched the hearts of many around him, especially the cowboys that worked for him. He also had a special affinity for his grandchildren and for his beloved ranch.

Jay is survived by his wife, Juanita; his sons, Jay Jr. and wife Lee Ann, Tyler, and Turk and wife Jenny; and

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his grandchildren, Hannah, Alicia and Levi.

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THOMAS, ROBERT JAMES

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF ROBERT JAMES THOMAS ON SEPTEMBER 21, 2011 IN STEVENSVILLE, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE ROBERT THOMAS BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Robert James Thomas was born in Butte on December 10, 1927, to Fred and Cora Thomas, the youngest of seven children. When he was young, the family moved to Stevensville, where he attended school and graduated from Stevensville High School. He worked on the family ranch before attending Montana State University. While remaining a steadfast Bobcat, he received a degree in business from the University of Montana.

At the age of 27 Bob married Dorene Ditty of Missoula and became the father of five children.

Bob's community involvement included service on the White Tail Golf board, the local school board, and the Montana Legislature. In 1991 he was appointed to the Montana Board of Housing, where he served for 16 years. For many years he served on the Ravalli County Republican Central Committee and was one of the founders of the North Valley Pachyderm Club. In 2005 he received the "Tough Tusk Award" from the National Federation of the Grand Order of Pachyderm Clubs.

As an honored member of the Masonic Order in Stevensville, Bob helped found a children's language clinic located on the UM campus. In 2001 he was elected a member of the Masonic Hall of Fame and his name was ascribed on the rolls.

In 1986, Bob married Jean Scott. Bob loved camping and fishing at Lake Mary Ronan. He loved

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woodworking and building items for his family and spending time with his kids and grandkids.

Bob is remembered by his wife Jean, children, Bob, Jerry, Don, Fred and Becky; loving grandchildren, Eric, Tyler, Marcus, Scott, Joe, Jessi, Ryan, Patrik, and Allison; as well as five great-grandchildren, Atley, Finley, Kein, Anya and Roger.

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WESTLAKE, VERNON LOVITT

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF VERNON LOVITT WESTLAKE ON JULY 8, 2011 IN BOZEMAN, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE VERNON WESTLAKE BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Vernon Westlake was born August 27, 1921 to Ella and Lovitt Westlake in a log cabin northwest of Bozeman. He graduated from Gallatin County High School and Montana State College. During World War Two he served as a bomber pilot in the Army Air Corps and attained the rank of Second Lieutenant. Following the war, Vernon completed Bachelor's degrees in industrial and mechanical engineering. In 1948, he commenced a lifelong farming career near Anceney, west of Bozeman. Two years later, he married Lou Ann Webb, and together they had two children.

Throughout his career, Vernon served on a number of committees and boards, including the Agricultural Stabilization and Conservation Service County Committee, the Board of Directors of Gallatin Farmers Company, an advisory board to the MSU President's Office, and was director of MSU's Alumni Association Board. He was elected to the Gallatin County Governmental Study Commission and in 1988 was elected to the State House of Representatives for a two-year term.

Vernon valued the involvement he had in the lives of his children and grandchildren, and was there to support them in their extracurricular endeavors. He was a lifelong member of and actively involved in the

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Grand Avenue Christian Church. He was a member of the Antique Classic Car Club, the Elks Club and American Legion Post 14.

Vernon is survived by his wife, Lou Ann; son, Stuart and Rene Westlake; daughter, Lynn and Ron Coons; grandchildren, Tobi, Ross, Jillian, Kaci; and great-granddaughter, Devyn. Sisters, Lucille Peter; and Peggy and Milton Schaplow.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

WILLIAMS, WILLIAM GENE

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF WILLIAM GENE WILLIAMS ON JULY 28, 2011 IN TOSTON, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE BILL WILLIAMS BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

William Gene Williams was born June 12, 1927 in Missoula to John and Alice Williams. When he was two, his mother Alice died, and William was lovingly raised by his stepmother Loretta. He grew up and attended grade school in Radersburg and high school in Townsend. When he was 17, Bill joined the U. S. Navy. After the war, he married Valentine Manley and they had one son. In 1951, Bill married his second wife, LaRee Leatham, and together they added five more children to the family.

Bill and LaRee initially settled on the Longhorn Ranch on Canyon Ferry. It was during this time of his life that regular visits from LDS missionaries led him to become baptized into the Church of Jesus Christ of Latter Day Saints. Years later Bill and LaRee moved and established their growing family at the family ranch in the Crow Creek valley.

Bill served three terms as a state representative in the Montana Legislature.

At the age of 55 after open heart surgery, with a new sense of life and adventure, Bill took up downhill

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skiing, racketball, and team roping. Throughout his life he also treasured a love of music and dancing.

Bill is survived by his wife, LaRee; his six children, Tim and Janis Snyder; Cathy and Keith Williams-Rash; David Williams; Dennis Williams; Robin Kaye and Darrell Folkvord; and Mickey Mayer; 20 grandchildren and 32 great-grandchildren. He is also survived by his brother, Tom Williams; and sister, Sharley Ragen.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.

YARDLEY, DAN

WHEREAS, IT IS WITH DEEP AND SINCERE SORROW THAT THE MEMBERS OF THE SIXTY-THIRD LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA RECORD THE PASSING OF DAN YARDLEY ON JANUARY 22, 2008 IN LIVINGSTON, MONTANA.

WHEREAS, IT IS FITTING AND PROPER THAT THE RECORD AND ACCOMPLISHMENTS OF THE LATE DAN YARDLEY BE FILED ON THE OFFICIAL RECORDS OF THIS ASSEMBLY AND THE FOLLOWING FACTS RELATIVE TO HIS CAREER ARE HEREBY NOTED:

Dan was born in Big Timber, October 15, 1928, to Ray and Helen (Carney) Yardley. His grandparents were John and Mary Carney of Sweet Grass County. The Yardley family resided at the Carney Ranch in Springdale until they moved to Livingston in 1932. Dan attended school in Livingston and graduated from Park County High School in 1946.

After high school, Dan worked for the Northern Pacific Railway and then served in the U.S. Army from 1950 to 1953. Returning to Montana, Dan graduated from the University of Montana School of Law in 1956. He completed a master's degree from the New York University School of Law in 1957. He then went to work as an attorney for the Department of Labor in Washington, D.C. where he met JoAnne Frizzelle, who would become his wife of 47 years.

Dan and JoAnne wed Christmas Day 1959 in Chattanooga, Tennessee. They resided in Washington, D.C. until 1963, when they moved their family to Livingston. Dan practiced law for 43 years in partnership with his brother, Jack Yardley, until retirement in 2006.

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Dan served for eight sessions as a Democrat in the Montana House of Representatives. He was also Deputy County Attorney and Public Defender for several years. He was a member of the Benevolent and Protective Order of the Elks and the American Legion.

He enjoyed gardening, playing cards, reading poetry, caring for his dog and spending time with his family and friends.

Survivors include his children, Tom (Andorra) Yardley of Portland, Texas, and Washington, D.C., Mary Yardley Marry (Rick Rouse) of Missoula; grandchildren, Sarah, David, Lindsey, Katherine, Thomas "Ted," Lauren and Chloe; and two great-grandchildren, Marlie and Melvin.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT WE HEREBY EXPRESS OUR ESTEEM AND RESPECT TO THE MEMORY OF THE HONORABLE SENATORS AND REPRESENTATIVES AND EXTEND TO THE MEMBERS OF THEIR FAMILIES OUR SINCERE SYMPATHY IN THEIR GREAT AND IRREPARABLE LOSS;

BE IT FURTHER RESOLVED, THAT A COPY OF THIS MEMORIAL BE ENTERED UPON THE JOURNALS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SIXTY-THIRD LEGISLATURE, BE TRANSMITTED TO THE SURVIVING FAMILIES, AND THAT AN ORIGINAL COPY OF THESE MEMORIALS BE FILED WITH THE MONTANA HISTORICAL SOCIETY.